



**DEPARTMENT OF PESTICIDE REGULATION
PESTICIDE REGISTRATION AND EVALUATION COMMITTEE
Meeting Minutes – July 18, 2008**

Committee Members/Alternates in Attendance:

Syed Ali, State Water Resources Control Board (SWRCB)
Lynn Baker, Air Resources Board (ARB)
Anna Fan, Office of Environmental Health Hazard Assessment (OEHHA)
Martha Harnly, Department of Public Health (DPH)
Merion Miller, University of California IR-4 Program
Ann Prichard, Department of Pesticide Regulation (DPR)
Patti L. TenBrook, U.S. Environmental Protection Agency, Reg. 9 (U.S. EPA)
Barbara Todd, Department of Food and Agriculture (CDFA)
Barry Wilson, University of California Department of Environmental Toxicology

Visitors in Attendance:

Brian Bret, Dow AgroSciences
Angela Csondes, ARB
Nasser Dean, Western Plant Health Association
Monica DeAnda, DPR
Ann Downs, DPR
Tom Estill, Ensystex
Shifang Fan, DPR
George Farnsworth, DPR
Roberta Fiored, California Rice Commission
Billy Gaither, Jr, Pest Control Operators of California
Kathleen Haley, Inside Cal/EPA Newsletter/ Inside Washington Publishers
Kim Hensley, Environmental Solutions Group, LLC
Amy Her, DPR
Rachel Kubiak, DPR
Artie Lawyer, Technology Sciences Group
Dave Lawson, Lawson and Associates
Shelley Lopez, DPR
Eileen Mahoney, DPR
Gary Maxwell, Target Specialty Products
Linda O'Connell, DPR
Eric Paulsen, Clark Pest Control
Renee Pinel, Western Plant Health Association
Max Valdin, DPR
Anthony Van Ruiten, Best & Krieger, LLP
Denise Webster, DPR
Jim Wells, Environmental Solutions Group, LLC
Lee Whitmore, Pest Control Operators of California
Pam Wofford, DPR
Ron Wyandt, Univar USA



1. Introductions and Committee Business – Ann Prichard, Chairperson, DPR

- a. About 30 people attended the meeting.
- b. No corrections to the minutes of the previous meeting held on May 16, 2008, were identified.

2. 2006 Emission Inventory - Randy Segawa, Environmental Monitoring Branch

Under the State Implementation Plan for ozone, DPR is required to track and reduce volatile organic compound (VOC) emissions from pesticides. DPR adopted regulations in January 2008 to achieve the required reductions by controlling field fumigations. These regulations contain new licensing requirements, specify fumigation methods, revise pesticide use reporting, and limit fumigant emissions. The regulations were based on 2004 emission data, which showed that reducing fumigant emissions would achieve the required reductions in all five nonattainment areas.

The 2005 and 2006 emission estimates for the five nonattainment areas are as follows:

1. Sacramento Metro: Emissions increased, but remain well within SIP compliance.
2. San Joaquin Valley: Emissions increased due to nonfumigants, placing NAA further out of compliance. Reducing fumigant emissions may be insufficient to achieve the required reductions for this area.
3. South Coast: Emissions decreased, and remain well in compliance.
4. Southeast Desert: Emissions decreased, but remain slightly out of compliance.
5. Ventura: Emissions decreased, but remain out of compliance.

3. Ventura VOC Allowances – Randy Segawa, Environmental Monitoring Branch

The regulations require DPR to limit fumigant emissions if pesticide VOC emissions reach a certain trigger level. DPR implemented a fumigant limit for Ventura in 2008. The limits are enforced by issuing fumigant allowances to growers. The regulations require growers to request a fumigant allowance. DPR totals and reduces all requests the same proportional amount to reach the overall fumigant limit. The county agricultural commissioner enforces the allowances by conditioning the restricted materials permits. With DPR's concurrence, almost all growers requested the highest emission method allowed by the regulations to ensure an equitable reduction in acreage. DPR estimates that fumigated acreage might decrease as much as 30% to reach the fumigant limit.

To ease the burden of the fumigant limit, DPR has proposed a new regulation to phase in the Ventura fumigant limit over a 5-year period. DPR cannot adopt the regulation without a change to the State Implementation Plan (SIP). The Air Resources Board and U.S. EPA have approved the SIP change, and the modified SIP becomes effective on August 18, 2008.

4. Update on U.S. EPA Rodenticide Risk Mitigation Decision – Denise Webster, Pesticide Regulation Branch

The main points of the risk mitigation decision were to make the three more toxic anticoagulants available for residential application by professional applicators and require all consumer products be sold in a bait station. Products can be grouped into the following four product groups:

- Consumer use products
- Agricultural use products
- Professional applicator products
- Field use products

Consumer use products:

First generation anticoagulants and non-anticoagulants may be formulated as solid bait blocks (paste okay) in pre-baited stations with the package size not to exceed one pound. The bait stations must adhere to one of four tiered standards. Second generation anticoagulants have sale and distribution limits to prohibit purchase by consumers.

Agricultural use products:

Second generation anticoagulants may be placed in and around agricultural buildings (*within a 50 foot perimeter*). Labels must bear the statement, "Do not use this product in homes or other human residences." Bait stations are required for outdoor/above ground placements. Product sold ONLY in agricultural, farm and tractor stores with package size between 8 and 16 pounds.

Professional use products:

Second generation anticoagulants may be placed in and around buildings (*within a 50 foot perimeter*). Bait stations are required for residential, institutional, and outdoor/above ground placements. Product sold ONLY in agricultural, farm and tractor stores, and direct sales with package size at least 16 pounds.

Agricultural structural use and professional use products:

First generation anticoagulants and non-anticoagulants have no formulation restrictions. Bait stations are required for certain placements with package size to be of at least four pounds.

Field use products:

The risk mitigation decision does not cover field uses and tracking powder. Risks were addressed in the 1998 Zinc Phosphate and Rodenticide Cluster Reregistration Eligibility Decision documents. U.S. EPA is requiring restricted use classification for these products (*except underground baiting*).

U.S. EPA timelines

By September 2, 2008, a 90 day compliance proposal for all products must be submitted to U.S. EPA. By December 4, 2009, registrants must submit a label amendment or new product registration. By December 4, 2010, U.S. EPA will issue registration decisions on all amendments. June 4, 2011, is the last day for “release for shipment” of products not complying with the risk mitigation decision.

5. Initiation of Sulfuryl Fluoride Reevaluation - Denise Webster, Pesticide Regulation Branch

The risk assessment on inhalation exposure to sulfuryl fluoride was completed in July 2006. Certain exposure scenarios were determined using health-protective factors. The current tarp removal aeration plan (TRAP) plan is based on reentry of 5 parts per million (ppm). The current product labeling and California regulations require workers wear self-contained breathing apparatus (SCBA) until air levels are below 1 ppm. Data is needed to assess whether the TRAP plan is adequate. The registrants include Dow AgroSciences LLC, Vikane, EPA Reg. No. 62719-4, Ensystex II, Inc., Zythor, EPA Reg. No. 81824-1, and Drexel Chemical Company, Drexel Master Fume, EPA Reg. No. 19713-596. The data requirements of the reevaluation include worker exposure monitoring data of structures treated at maximum label rates including aeration, untarping and reentry. Additionally, the reevaluation requires residential post-application monitoring until measurements are below the level of detection including both instantaneous and continuous air measurements.

6. Agenda items for next meeting - Ann Prichard, DPR

The next meeting will be held on Friday, September 19, 2008, in the Sierra Room on the second floor of the Cal/EPA building, located at 1001 I Street, Sacramento, California.

7. Adjourn.